

Mr. SARBANES. Mr. Speaker, I yield as much time as he may consume to the gentleman from New York (Mr. TONKO), a distinguished member of the Energy and Commerce Committee and ranking member of the Subcommittee on the Environment and the Economy. And I thank him for his work on this piece of legislation.

Mr. TONKO. Mr. Speaker, I thank the gentleman from Maryland for yielding.

I rise in support of this bill. S. 611, the Grassroots Rural and Small Community Water Systems Assistance Act, reauthorizes a small but important program that delivers technical assistance and training to our community water systems.

I want to thank Representative HARPER for introducing H.R. 2853, the House companion bill to Senator WICKER's bill, and I am proud to be a cosponsor of that legislation.

I also want to thank Chairman UPTON, our Ranking Member PALLONE, Chairman SHIMKUS, and the Energy and Commerce staff for working with us on report language to clarify language in this bill so that we can indeed provide a wide range of technical assistance that would help small water systems, such as source water protection, system monitoring and efficiency, sustainability, and water security aspects.

Many small and rural communities, with populations of 10,000 or less, face challenges in maintaining and upgrading aging water infrastructure. The ratepayer base for these small systems simply does not provide a sufficient operating budget to support full-time technical positions.

Source water quality problems, resulting in system shutdowns and expensive treatment processes, are an increasing problem for far too many public water systems due to inadequate attention to nonpoint source pollution.

In other areas, drought has affected both water quality and quantity, challenging the ability of water utilities to meet their basic service obligations.

Technical assistance for small systems is essential to finding the most cost-effective solutions to these problems. I know that the Circuit Rider program in New York serves many small public water systems and provides essential technical support to small system operators.

S. 611 would authorize the appropriation of \$15 million annually, from 2016 to 2020, for the Environmental Protection Agency's program that provides technical assistance to these given systems.

The previous authorization for this program expired back in 2003. It has been nearly 20 years since we last authorized this program, along with the Drinking Water State Revolving Fund, the SRF, the primary source of Federal funding for water infrastructure.

The Drinking Water SRF's authorization also expired in 2003. It too needs to be reauthorized and at a higher level than was provided in 2003 to support all

systems, small and large, to make the necessary repairs and the necessary upgrades.

□ 1615

Across our country, we experience over 700 water main breaks per day—700 per day—breaks that result in losses of treated water, not just water that is lost in those breaks, but consumer tax dollars and rate dollars, and with a growing backlog of drinking water infrastructure needs, estimated at \$384.2 billion over the next 20 years in the EPA's fifth national assessment of public water system infrastructure needs. That indeed is staggering.

It is clear we should be doing much more to assist our States and water utilities to reduce this backlog. Recently we came together to pass a bipartisan, long-term surface transportation bill. It had the overwhelming bipartisan support of this House.

Mr. Speaker, there is no doubt that our roads and bridges are in desperate need of investment. But we cannot forget about the hidden infrastructure, the critical, unseen, out-of-sight and out-of-mind infrastructure that we rely upon to deliver safe, reliable, and affordable drinking water. We have neglected this essential infrastructure for far too long already. It, too, needs more Federal funding and a long-term reauthorization.

Infrastructure does not repair itself. It does not improve with age. Our inaction is only adding to the expenses of State and local governments and forcing increases in water utility rates for given consumers.

Mr. Speaker, S. 611 is a good bill and a good start. I urge my colleagues to support this bill, but I hope we use this opportunity as a challenge, as a challenge to recognize that this is just the beginning of the drinking water infrastructure issues that we face. We must come together to reauthorize the Drinking Water State Revolving Fund.

Mr. SHIMKUS. Mr. Speaker, I reserve the balance of my time.

Mr. SARBANES. Mr. Speaker, again I want to urge my colleagues to support this important measure, S. 611.

Mr. Speaker, I yield back the balance of my time.

Mr. SHIMKUS. Mr. Speaker, there is a lot to be done on infrastructure, and safe drinking water is among those important things. My district is very large and rural, with 33 counties in southern Illinois. This bill will help.

We need to do what we can now, and hopefully this success, as my colleague Mr. TONKO has said, will help us build on future areas where we can work together. Mr. TONKO will continue to be a rabid dog on this issue, and I appreciate his commitment for further discussions.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. SHIMKUS) that the House suspend the rules and pass the bill, S. 611.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

STRENGTHENING STATE AND LOCAL CYBER CRIME FIGHTING ACT

Mr. GOODLATTE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3490) to amend the Homeland Security Act of 2002 to authorize the National Computer Forensics Institute, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3490

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Strengthening State and Local Cyber Crime Fighting Act".

SEC. 2. AUTHORIZATION OF THE NATIONAL COMPUTER FORENSICS INSTITUTE OF THE DEPARTMENT OF HOMELAND SECURITY.

(a) IN GENERAL.—Subtitle C of title VIII of the Homeland Security Act of 2002 (6 U.S.C. 381 et seq.) is amended by adding at the end the following new section:

"SEC. 822. NATIONAL COMPUTER FORENSICS INSTITUTE.

"(a) IN GENERAL.—There is established in the Department a National Computer Forensics Institute (in this section referred to as the 'Institute'), to be operated by the United States Secret Service, for the dissemination of homeland security information related to the investigation and prevention of cyber and electronic crime and related threats to educate, train, and equip State, local, tribal, and territorial law enforcement officers, prosecutors, and judges.

"(b) FUNCTIONS.—The functions of the Institute shall include the following:

"(1) Educating State, local, tribal, and territorial law enforcement officers, prosecutors, and judges on current—

"(A) cyber and electronic crimes and related threats;

"(B) methods for investigating cyber and electronic crime and related threats and conducting computer and mobile device forensic examinations; and

"(C) prosecutorial and judicial challenges related to cyber and electronic crime and related threats, and computer and mobile device forensic examinations.

"(2) Training State, local, tribal, and territorial law enforcement officers to—

"(A) conduct cyber and electronic crime and related threat investigations;

"(B) conduct computer and mobile device forensic examinations; and

"(C) respond to network intrusion incidents.

"(3) Training State, local, tribal, and territorial law enforcement officers, prosecutors, and judges on methods to obtain, process, store, and admit digital evidence in court.

"(c) PRINCIPLES.—In carrying out the functions under subsection (b), the Institute shall ensure, to the extent practicable, that timely, actionable, and relevant expertise and homeland security information related to cyber and electronic crime and related threats is shared with State, local, tribal, and territorial law enforcement officers, prosecutors, and judges.

"(d) EQUIPMENT.—The Institute is authorized to provide State, local, tribal, and territorial law enforcement officers, prosecutors, and judges with computer equipment, hardware, software,

manuals, and tools necessary to conduct cyber and electronic crime and related threats investigations and computer and mobile device forensic examinations.

“(e) **ELECTRONIC CRIME TASK FORCES.**—The Institute shall facilitate the expansion of the Secret Service’s network of Electronic Crime Task Forces through the addition of task force officers of State, local, tribal, and territorial law enforcement officers, prosecutors, and judges educated and trained at the Institute, in addition to academia and private sector stakeholders.

“(f) **COORDINATION WITH FEDERAL LAW ENFORCEMENT TRAINING CENTER.**—The Institute shall seek opportunities to coordinate with the Federal Law Enforcement Training Center within the Department to help enhance, to the extent practicable, the training provided by the Center to stakeholders, including by helping to ensure that such training reflects timely, actionable, and relevant expertise in homeland security information related to cyber and electronic crime and related threats.”.

(b) **NO ADDITIONAL FUNDING.**—No additional funds are authorized to be appropriated to carry out this Act and the amendment made by this Act. This Act and such amendment shall be carried out using amounts otherwise available for such purposes.

(c) **CLERICAL AMENDMENT.**—The table of contents of the Homeland Security Act of 2002 is amended by inserting after the item relating to section 821 the following new item:

“Sec. 822. National Computer Forensics Institute.”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Virginia (Mr. GOODLATTE) and the gentleman from Puerto Rico (Mr. PIERLUISI) each will control 20 minutes.

The Chair recognizes the gentleman from Virginia.

GENERAL LEAVE

Mr. GOODLATTE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous materials on H.R. 3490 currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. GOODLATTE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the National Computer Forensics Institute serves a vital purpose in preparing State and local law enforcement to combat computer and cybercrime, and I am pleased to support this legislation.

The United States Department of Justice has declared that cybercrime “is one of the greatest threats facing our country” and that cybercrime has “enormous implications for our national security, economic prosperity, and public safety.”

The Justice Department has also stated that “the range of threats and the challenges they present for law enforcement expand just as rapidly as technology evolves.”

With this in mind, the National Computer Forensics Institute serves the vital purpose of providing legal and judicial professionals a free comprehensive education on current cybercrime

trends, investigative methods, and prosecutorial and judicial challenges.

The National Computer Forensics Institute is a 32,000-square-foot facility located in Hoover, Alabama. This Institute boasts three multipurpose classrooms, two network investigations classrooms, a mock courtroom, and a forensics lab.

Special agents of the United States Secret Service staff the Institute and work diligently training attendees in modern counter-cybercrime procedures and evidence collection. When the attendees leave, they take with them the critical knowledge and equipment required to conduct autonomous and thorough cybercrime investigations at their home agencies.

Since its creation in 2008, the Institute has earned praise for its work in preparing America’s local law enforcement in how to deal with these important technology issues.

Over the last 7 years, the Institute has instructed law enforcement professionals from every State in the country and from over 500 different law enforcement agencies.

In fact, law enforcement in my own district has benefited from NCFI training, including Lynchburg Commonwealth’s Attorney Mike Doucette and his staff.

Each professional educated at the Institute is a force multiplier for the Secret Service. After successful completion of the program, the students can bring their new knowledge back to their local agency to inform their colleagues how to properly conduct computer forensic investigations.

Mr. Speaker, I firmly believe that, for our Nation to successfully combat the cybercrime threat, we must support legislation such as H.R. 3490. I want to thank the gentleman from Texas (Mr. RATCLIFFE) for sponsoring this important legislation.

Authorizing the existing National Computer Forensics Institute in Federal law will cement its position as a high-tech cybercrime training facility and will help law enforcement professionals nationwide in their efforts to combat cyber- and computer crimes.

Mr. Speaker, I reserve the balance of my time.

Mr. PIERLUISI. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 3490, the Strengthening State and Local Cyber Crime Fighting Act. This bill establishes the National Computer Forensics Institute as an official Federal program which will be managed by the Department of Homeland Security and operated by the United States Secret Service.

I support this bill because it addresses a topic that is critically important to our country. Cybercrime poses an enormous threat to national security, economic prosperity, and public safety. The range of threats and the challenges they present for law enforcement expand just as rapidly as technology evolves.

In fact, Mr. Speaker, during the past decade, our Federal law enforcement community has observed a significant increase in the quality, quantity, and complexity of cybercrimes targeting private industry, including our financial services sector.

These crimes include intrusions, hacking attacks, the installation of malicious software, and data breaches that have exposed the personal information of millions of U.S. citizens as well as members of our law enforcement and intelligence services.

To date, the National Computer Forensics Institute has trained more than 800 State and local law enforcement officers and approximately 238 prosecutors. With this legislation, the Institute will continue to educate State and local law enforcement officers, prosecutors, and judges on current trends in cyber- and electronic crimes investigations and the Institute will train them on proper procedures to conduct these important investigations.

In addition, the National Computer Forensics Institute will continue to work to protect our citizens’ personal information from unwarranted government intrusion. By establishing national standards for conducting cybercrime investigations, the Institute will promote these important privacy interests.

Finally, it is important to highlight the successful efforts that have already taken place to combat the ever-growing threat of cybercrime. As the operator of the National Computer Forensics Institute, the Secret Service has demonstrated its expertise in pursuing cybercrime investigations.

The Secret Service’s investigations have resulted in over 4,900 arrests, associated with more than \$1.4 billion in fraud losses and the prevention of over \$11 billion in potential fraud losses during the past 5 years.

In closing, Mr. Speaker, this legislation will assist law enforcement in continuing to combat the threats cybercrime poses to national security, economic prosperity, and public safety.

Mr. Speaker, I urge my colleagues to join me in supporting this important legislation.

I reserve the balance of my time.

Mr. GOODLATTE. Mr. Speaker, I yield 5 minutes to the gentleman from Texas (Mr. RATCLIFFE), the chief sponsor of this legislation.

Mr. RATCLIFFE. Mr. Speaker, I thank the chairman for his leadership on these issues.

Mr. Speaker, I rise today in support of H.R. 3490, the Strengthening State and Local Cyber Crime Fighting Act. This bill will authorize the National Computer Forensics Institute, or NCFI, which is located in Hoover, Alabama.

Mr. Speaker, when FBI Director Jim Comey recently testified before the House Judiciary Committee, he told us that “an element of virtually every national security threat and crime problem the FBI faces is cyber-based or facilitated.”

I want to pause and let that sink in for a minute because it makes a perfect case for this bill. The fact that our Federal law enforcement is seeing a cyber element to almost every national security threat and crime problem is incredibly compelling because you can be certain that our State and local law enforcement are seeing the same trend, but with a lot fewer opportunities to learn how to address it.

Now, we have all seen the crime shows on TV where pieces of DNA evidence—a strand of hair or a drop of blood—are used to solve a case. But in today's world, we have to rely upon digital evidence, an email that was sent or an online purchase that was made or geolocation technology that places an individual at the scene of the crime.

Mr. Speaker, today's cybercriminals present new challenges to law enforcement, prosecutors, and judges. It no longer takes a sophisticated cybercriminal to compromise personal and sensitive information of U.S. companies and everyday Americans. Any criminal can now easily obtain from the dark Web the cyber exploit tools that are needed to create this type of havoc.

And so, with the ever-increasing number of cyberattacks, it is vital that our State and local law enforcement, prosecutors, and judges be properly trained to respond to cybercrime and to protect the American people.

The NCFI, which my bill authorizes, does just that. The NCFI was created in 2007 by the State of Alabama and is now operated by the United States Secret Service for the purpose of training State and local law enforcement officers, prosecutors, and judges on how to investigate cyber- and electronic crimes, on methods for conducting computer and mobile device forensic examinations, and on performing network intrusion investigations.

The NCFI has already garnered a reputation as the premier crime-training center in the Nation, supporting State and local law enforcement investigators, prosecutors, and judges. To date, it has already trained and equipped more than 4,500 local law enforcement officials from all 50 States.

These NCFI graduates—all of whom are now equipped to hit back on cybercrime—represent more than 1,500 agencies nationwide, including agencies from Texas' Fourth Congressional District that I represent, like the Greenville Police Department, the Hunt County District Attorney's Office, and the Collin County Sheriff's Office.

Kelli Aiken, an assistant district attorney from Hunt County, told us that her training at the NCFI had “transformed their evidence collection and prosecution, leading to more successful apprehensions, more prosecutions, and more convictions.”

So you see, Mr. Speaker, this isn't some highly theoretical bill where the rubber never meets the road. This piece

of legislation takes what is already working and formalizes these practices to better amplify their impact going forward.

This bill gives our law enforcement across the country the necessary tools and training to successfully fight cybercriminals in the 21st century. That is why I am honored to introduce it and why I am grateful for its vote today here in the House.

Mr. PIERLUISI. Mr. Speaker, I yield back the balance of my time.

□ 1630

Mr. GOODLATTE. Mr. Speaker, I yield 2 minutes to the gentleman from Alabama (Mr. PALMER).

Mr. PALMER. Mr. Speaker, I thank the chairman.

As has been noted, prior to 2008, training for State and local law enforcement in cybercrimes was difficult to find.

Recognizing this problem in 2007, the State of Alabama took the lead and offered the Secret Service and the Department of Homeland Security property and funds to construct a state-of-the-art facility if the Federal Government would fund the training and allow the Secret Service to operate it. I am proud to say this facility is located in my district in the city of Hoover.

Since the NCFI opened its doors in May of 2008, State and local law enforcement officers, as has been mentioned already, have come from all across the Nation for vital training in this one-of-a-kind facility, where they are trained by Secret Service agents on the same equipment and software that our Secret Service agents use. NCFI has trained law enforcement officers, prosecutors, and judges from all 50 States, and literally has graduates from hundreds of agencies around the country.

I am very proud of the work that NCFI is doing, that it is being recognized, and I am proud to be a cosponsor of H.R. 3490.

Mr. GOODLATTE. At this time, Mr. Speaker, I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, I rise in support of H.R. 3490, the Strengthening the State and Local Cyber Crime Fighting Act, which amends the Homeland Security Act of 2002 to establish in the Department of Homeland Security a National Computer Forensics Institute.

As the Ranking Member on the Subcommittee on Crime, Terrorism, Homeland Security and Investigations, as well as a senior Member of the Committee on Homeland Security, I am well aware of the threats that our nation faces in cyberspace.

H.R. 3490 directs the U.S. Secret Service to disseminate homeland security information related to the investigation and prevention of cyber and electronic crime, including threats or acts of terrorism, to educate, train, and equip state, local, tribal, and territorial law enforcement officers, prosecutors, and judges.

I am pleased that H.R. 3490 includes two important amendments that I offered during the Homeland Security Markup.

The first Jackson Lee Amendment provides local, state, territorial and tribal law enforcement access to the cybercrime expertise of the Secret Service in collecting, retaining and processing evidence found on digital devices.

This amendment makes vital federal cybercrime investigative resource available to local, state, territorial and tribal law enforcement.

The U.S. Secret Service maintains Electronic Crimes Task Forces focusing on identifying and locating international cyber criminals connected to cyber intrusions, bank fraud, data breaches, and other computer-related crimes.

The Secret Service's Cyber Intelligence Section has directly contributed to the arrest of transnational cyber criminals responsible for the theft of hundreds of millions of credit card numbers and the loss of approximately \$600 million to financial and retail institutions.

The Secret Service also runs the National Computer Forensic Institute, which provides law enforcement officers, prosecutors, and judges with cyber training and information to combat cybercrime.

The second Jackson Lee Amendment to H.R. 3490 provides assurances that nothing in this Act shall be construed to abridge or impair the rights of persons in the United States protection by the Fourth and Fifth Amendments to the United States Constitution.

As the work law enforcement and national security personnel must rely more and more on their ability to access information in cyber space or what might be stored on personal devices, it is important that the public knows and understands that their Constitutional rights must and will be protected.

I know that the Chairs and Ranking Members of the House Committees on the Judiciary and Homeland Security, and many other colleagues have worked side-by-side to assure that our efforts to combat terrorism at home do not diminish the liberties that we all cherish.

I urge all Members to vote for H.R. 3490.

Mr. RICHMOND. Mr. Speaker, I rise in support of H.R. 3490, the “Strengthening State and Local Cyber Crime Fighting Act”.

H.R. 3490 amends the Homeland Security Act of 2002 to authorize the National Computer Forensics Institute, or NCFI, as operated by the U.S. Secret Service to educate and train State, local, tribal, and territorial law enforcement officers, prosecutors, and judges about techniques and procedures related to the investigation and prevention of cyber, electronic, and information security crimes, including threats or acts of terrorism.

The training model used at the Institute is based upon the Secret Service's successful cyber investigative strategy, which relies on partnering with and sharing information between academia, private industry and law enforcement to combat the ever-evolving threat of cyber crime.

This bipartisan measure, authored by the Chairman of the Committee's Cybersecurity Subcommittee Chairman, the gentleman from Texas, Mr. RATCLIFFE, does a couple of important things.

First, to ensure that the important work of the NCFI continues, it authorizes this federally funded training center, which has operated in Hoover, Alabama since 2008, in the Homeland Security Act.

Second, it seeks to raise the quality of cyber forensic training provided throughout the Department of Homeland Security by directing

the NCFI to seek opportunities to coordinate with the Federal Law Enforcement Training Center (FLETC), including by helping to ensure that such training reflects timely, actionable, and relevant expertise in homeland security information related to cyber and electronic crime and related threats.

Lastly, it directs the Secret Service to expand its network of Electronic Crime Task Forces through the addition of task force officers, prosecutors, and judges educated and trained at the Institute, in addition to academia and private sector stakeholders.

For these reasons, I urge my colleagues to support this legislation.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. GOODLATTE) that the House suspend the rules and pass the bill, H.R. 3490, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

OPEN BOOK ON EQUAL ACCESS TO JUSTICE ACT

Mr. GOODLATTE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3279) to amend titles 5 and 28, United States Code, to require annual reports to Congress on, and the maintenance of databases on, awards of fees and other expenses to prevailing parties in certain administrative proceedings and court cases to which the United States is a party, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3279

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Open Book on Equal Access to Justice Act”.

SEC. 2. MODIFICATION OF EQUAL ACCESS TO JUSTICE PROVISIONS.

(a) AGENCY PROCEEDINGS.—Section 504 of title 5, United States Code, is amended—

(1) in subsection (c)(1), by striking “, United States Code”;

(2) by redesignating subsection (f) as subsection (i); and

(3) by striking subsection (e) and inserting the following:

“(e)(1) The Chairman of the Administrative Conference of the United States, after consultation with the Chief Counsel for Advocacy of the Small Business Administration, shall report to the Congress, not later than March 31 of each year through the 6th calendar year beginning after the initial report under this subsection is submitted, on the amount of fees and other expenses awarded during the preceding fiscal year pursuant to this section. The report shall describe the number, nature, and amount of the awards, the claims involved in the controversy, and any other relevant information that may aid the Congress in evaluating the scope and impact of such awards. The report shall be made available to the public online.

“(2)(A) The report required by paragraph (1) shall account for all payments of fees and other expenses awarded under this section

that are made pursuant to a settlement agreement, regardless of whether the settlement agreement is sealed or otherwise subject to nondisclosure provisions.

“(B) The disclosure of fees and other expenses required under subparagraph (A) does not affect any other information that is subject to nondisclosure provisions in the settlement agreement.

“(f) The Chairman of the Administrative Conference shall create and maintain, during the period beginning on the date the initial report under subsection (e) is submitted and ending one year after the date on which the final report under that subsection is submitted, online a searchable database containing the following information with respect to each award of fees and other expenses under this section:

“(1) The case name and number of the adversary adjudication, if available.

“(2) The name of the agency involved in the adversary adjudication.

“(3) A description of the claims in the adversary adjudication.

“(4) The name of each party to whom the award was made, as such party is identified in the order or other agency document making the award.

“(5) The amount of the award.

“(6) The basis for the finding that the position of the agency concerned was not substantially justified.

“(g) The online searchable database described in subsection (f) may not reveal any information the disclosure of which is prohibited by law or court order.

“(h) The head of each agency shall provide to the Chairman of the Administrative Conference in a timely manner all information requested by the Chairman to comply with the requirements of subsections (e), (f), and (g).”.

(b) COURT CASES.—Section 2412(d) of title 28, United States Code, is amended by adding at the end the following:

“(5)(A) The Chairman of the Administrative Conference of the United States shall submit to the Congress, not later than March 31 of each year through the 6th calendar year beginning after the initial report under this paragraph is submitted, a report on the amount of fees and other expenses awarded during the preceding fiscal year pursuant to this subsection. The report shall describe the number, nature, and amount of the awards, the claims involved in each controversy, and any other relevant information that may aid the Congress in evaluating the scope and impact of such awards. The report shall be made available to the public online.

“(B)(i) The report required by subparagraph (A) shall account for all payments of fees and other expenses awarded under this subsection that are made pursuant to a settlement agreement, regardless of whether the settlement agreement is sealed or otherwise subject to nondisclosure provisions.

“(ii) The disclosure of fees and other expenses required under clause (i) does not affect any other information that is subject to nondisclosure provisions in the settlement agreement.

“(C) The Chairman of the Administrative Conference shall include and clearly identify in the annual report under subparagraph (A), for each case in which an award of fees and other expenses is included in the report—

“(i) any amounts paid from section 1304 of title 31 for a judgment in the case;

“(ii) the amount of the award of fees and other expenses; and

“(iii) the statute under which the plaintiff filed suit.

“(6) The Chairman of the Administrative Conference shall create and maintain, during the period beginning on the date the initial report under paragraph (5) is submitted and

ending one year after the date on which the final report under that paragraph is submitted, online a searchable database containing the following information with respect to each award of fees and other expenses under this subsection:

“(A) The case name and number.

“(B) The name of the agency involved in the case.

“(C) The name of each party to whom the award was made, as such party is identified in the order or other court document making the award.

“(D) A description of the claims in the case.

“(E) The amount of the award.

“(F) The basis for the finding that the position of the agency concerned was not substantially justified.

“(7) The online searchable database described in paragraph (6) may not reveal any information the disclosure of which is prohibited by law or court order.

“(8) The head of each agency (including the Attorney General of the United States) shall provide to the Chairman of the Administrative Conference of the United States in a timely manner all information requested by the Chairman to comply with the requirements of paragraphs (5), (6), and (7).”.

(c) CLERICAL AMENDMENTS.—Section 2412 of title 28, United States Code, is amended—

(1) in subsection (d)(3), by striking “United States Code.”; and

(2) in subsection (e)—

(A) by striking “of section 2412 of title 28, United States Code,” and inserting “of this section”; and

(B) by striking “of such title” and inserting “of this title”.

(d) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by subsections (a) and (b) shall first apply with respect to awards of fees and other expenses that are made on or after the date of the enactment of this Act.

(2) INITIAL REPORTS.—The first reports required by section 504(e) of title 5, United States Code, and section 2412(d)(5) of title 28, United States Code, shall be submitted not later than March 31 of the calendar year following the first calendar year in which a fiscal year begins after the date of the enactment of this Act.

(3) ONLINE DATABASES.—The online databases required by section 504(f) of title 5, United States Code, and section 2412(d)(6) of title 28, United States Code, shall be established as soon as practicable after the date of the enactment of this Act, but in no case later than the date on which the first reports under section 504(e) of title 5, United States Code, and section 2412(d)(5) of title 28, United States Code, are required to be submitted under paragraph (2) of this subsection.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Virginia (Mr. GOODLATTE) and the gentleman from Puerto Rico (Mr. PIERLUISI) each will control 20 minutes. The Chair recognizes the gentleman from Virginia.

GENERAL LEAVE

Mr. GOODLATTE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to include extraneous material on H.R. 3279 currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. GOODLATTE. Mr. Speaker, I yield myself such time as I may consume.